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LAND LAWS OF HAWAII EXPLAINED TO CONGRESSIONAL COMMITTEE BY COMMISSIONER EDWARD S. BOYD

The Chairman. What is this project out here?

Mr. Boyd. That is what we call the head of the Island of Maui. That is a very rugged country.

The Chairman. Not susceptible of cultivation?

Mr. Boyd. That has not been demonstrated. I would not like to say anything in that regard. There are some lands here which are known as private lands which, I think, are susceptible of cultivation, but the land belonging to the Government is in many cases all cut up.

The Chairman. Is there any city or town of any consequence on this island?

Mr. Boyd. There are only two cities, or villages, as you might call them—Wailuku and Lahaina.

The Chairman. What is the difficulty about applying our land laws to this island?

Mr. Boyd. The United States land law is so generous in its terms and the peculiar conditions existing out there are such that a careful review is needed before the lands are put on the market. That is the idea. As I have stated, our lands lie sandwiched between those of private owners, and to homestead those lands under the present bill would be injurious to the Territory. We want to put out these lands to the best advantage.

The Chairman. That is to say, these lands are of varying values.

Mr. Boyd. They are of varying values. Some of the lands lying in one district are worth from \$100 to \$200 an acre, while other lands in their immediate vicinity are not worth 5 cents an acre.

The Chairman. If this land is worth \$100, what is this other land worth?

Mr. Boyd. I am not prepared to say. That is for the land.

The Chairman. Can you give us any idea?

Senator Cockrell. What kind of timber is there on it?

Mr. Boyd. It is the old species of Hawaiian forest called the koa wood and the lehua wood. The koa wood is very good wood, from which furniture can be made; the other is good only for firewood.

The Chairman. Which is the more valuable—the land over there or this land?

Mr. Boyd. If water can be diverted over here, I think this will then be the more valuable land.

Senator Cockrell. What is the distance, and what kind of a canal or tunnel would be required?

Senator Foster. It would take another Nicaragua Canal to get over these mountains, Senator.

Mr. Boyd. They have a canal here, running from Hoonanu clear across here, from about 8 to 10 feet wide and 6 feet deep. It is a very large canal.

The Chairman. Leading around here?

Mr. Boyd. Leading around here.

The Chairman. So that, from an engineering point of view, it is feasible to bring that water around?

Mr. Boyd. It is feasible; yes, sir. In granting water rights, or in leasing land for the water, we generally put conditions in the lease that will protect private rights and the forests. It is necessary that that should be done.

The Chairman. Now give us one of your other maps.

Mr. Boyd. You will notice from an inspection of the next map, which represents the Island of Oahu, that the Government lands are decreasing in extent.

(Mr. Boyd then produced a map of the Island of Oahu.)

The Chairman. What is there on this island that is important?

Senator Foster. There is Pearl Harbor, is there not?

Mr. Boyd. Yes; Pearl Harbor is there.

The Chairman. Tell us something about that island. These three yellow portions represent the public lands, do they?

Mr. Boyd. They do. The area of that island is 690 square miles; and you can see for yourselves, gentlemen, that the public lands are scattered all over it. A good portion of this land has been set apart by the United States for a military naval reservation.

The Chairman. That is this yellow part?

Mr. Boyd. Right up to this mountain range, and also this one; yes.

Senator Cockrell. What is the population of the island?

Mr. Boyd. The total population of the island is about 54,000.

The Chairman. Do 54,000 people live on that one island?

Senator Foster. Why, Honolulu is situated on it.

The Chairman. Where is Honolulu?

Mr. Boyd. Right here.

The Chairman. Oh, yes. What is the population of Honolulu?

Mr. Boyd. About 40,000, I think— from thirty-nine to forty thousand.

The Chairman. The topography of that island is mountainous?

Mr. Boyd. Yes; but no so mountainous as the other two islands, though it is quite mountainous around on this side. There is lots of level land there, however, as you can see.

Senator Cockrell. Are there any volcanoes in that island?

Mr. Boyd. No, sir; there have been volcanoes there, but they are extinct. Here is an old crater, and also here [indicating].

The Chairman. What are those lands used for—sugar, or what?

Mr. Boyd. This land is used for sugar, and 1000 acres of this land are used for sugar, and a thousand or twelve hundred acres from this piece are used for sugar.

Senator Cockrell. I thought you said that was Government land.

Mr. Boyd. It is Government land, but it is leased to plantations.

Senator Cockrell. I see.

Mr. Boyd. There is a little piece of this land in here, consisting of 224 acres, that is used for sugar-cane cultivation.

Now, gentlemen, this land is made possible for cane cultivation through pumping. They pump the water from artesian wells on private lands, taking it from five to six miles into this country. There are here 1000 acres and a little over in cane; they are very good cane lands, with water.

Senator Cockrell. Are there any heights there from which the streams could be conducted down to these lands?

Mr. Boyd. There are hardly any streams on the western side of any of the islands. On the windward side, the north and northeast side, the country is well watered.

The Chairman. That is, the winds bring the rains over.

Mr. Boyd. The winds bring the rains along. As the clouds touch the mountain ranges, of course, they are condensed and deposit their rain on that side of the island. By the time the clouds reach the other side they have become exhausted.

The Chairman. I see. Now, all the other islands are in a general way

about the same as these about which you have been telling us, are they?

The Chairman. You have been the commissioner of public lands in Hawaii since 1901, I understand?

Mr. Boyd. Yes, sir.

The Chairman. Where do you maintain your office?

Mr. Boyd. At the capital of the Territory.

The Chairman. Have you complete records there?

Mr. Boyd. We have, sir.

The Chairman. Surveys, and so forth?

Mr. Boyd. Yes, sir.

The Chairman. Who made these surveys?

Mr. Boyd. We have what is called the surveyor's office of the department of surveys.

The Chairman. Have you in that office a description of the various lands in the islands?

Mr. Boyd. Yes, sir.

The Chairman. How were they surveyed?

Mr. Boyd. They were surveyed, as far as possible, by laying the country out into squares; where that was not possible the surveys were made so as to fit the conditions.

Senator Cockrell. You have not surveyed by townships and ranges?

Mr. Boyd. No, sir; the character of the land will not allow it.

The Chairman. Are you familiar with our system of surveying public lands in townships and ranges?

Mr. Boyd. Yes, sir.

Senator Cockrell. By sections and quarter sections?

Mr. Boyd. Yes, sir.

Senator Cockrell. None of this land is surveyed in that way?

Mr. Boyd. No, sir. We can not do that, because the country is cut with gulches and rises abruptly to precipitous heights nearly up to the mountain tops, and squares up there would

not look very nice. We have to make roads winding around the mountains.

The Chairman. Is it true or not that in the public lands of the islands you find some very fertile areas, small in extent, surrounded by areas that are not fertile?

Mr. Boyd. Yes; that is true. They are surrounded by areas not fertile at all, especially in Hawaii. As I showed you, along on the western side it is all lava rock. From the sea level to the height of 1000 feet there is absolutely nothing but lava the whole extent of the country for miles and miles, while the strip above, at an altitude of from 1500 to 2000 feet, would be very good land. In this lava flow, however, there are spots here and there that are very fertile.

The Chairman. That is what I want information about. It was my understanding that even in the lava fields there are places where the lava has not covered the ground, where people "squat" and cultivate small tracts of an acre or two.

Mr. Boyd. That is true.

The Chairman. To what extent is it true?

Mr. Boyd. All around the island.

The Chairman. All around—wherever those fields are?

Mr. Boyd. Yes, sir; allow me to say, also that most of those lands have been taken up. Under the old division each person who was living on a piece of land when the old award was made was entitled to a patent on his holding.

Senator Cockrell. What is the approximate area of such land?

Mr. Boyd. At that time it was from about 5 to 200 acres. Under the Kohobiki they could take from 500 to 1000 acres. The chiefs had the privilege over all of taking the whole strip of land from mountain to sea, varying

in its size. Some of them were very wide at the sea shore and very narrow at the mountain tops, while others were very wide at the mountain tops and very narrow at the sea shore. Then, further than that, even in the old times, they picked out land; they had some pieces of land for cultivating, and other pieces down at the sea shore for fishing, and other pieces for home sites. Consequently each patent that was issued by the land commissioner of Ward contained several small pieces of land.

Senator Cockrell. How about the matter of private ownership? Have those persons had patents issued to them?

Mr. Boyd. Yes, sir.

Senator Cockrell. They have been deeded by the Hawaiian Government?

Mr. Boyd. Yes, sir; regular patents have been issued to them.

Senator Cockrell. Are there many cases where separate individuals own 40 or 60 or 100 acres? Are there many cases of that kind in the land patents?

Mr. Boyd. Oh, yes, sir; all the way from 5 or 10 to 100 acres.

The Chairman. Are there many?

Mr. Boyd. Oh, yes, sir. Almost all our land titles average from 5 or 10 to 100 acres. There are very few of the others.

The Chairman. The land is principally in small holdings, then?

Mr. Boyd. Small holdings; yes. That is why the Government land has been cut up in this manner. It lies between private lands.

Senator Cockrell. What has become of the chiefs' lands—where are they now?

Mr. Boyd. The chiefs' lands are now what is called the Bishop estate and a few others. That is one of the richest estates in the island.

The Chairman. Who has the title to that?

Mr. Boyd. The Bishop estate, the Kamehameha School, as it is called, and the Bishop Museum. A lady by the name of Mrs. Bishop founded the school, and Mr. Bishop the museum.

Senator Cockrell. The "Bishop" estate is not a Catholic institution?

Mr. Boyd. No, sir; it is a man's name. Mr. Bishop married one of our chiefs.

Senator Cockrell. How much is the Bishop estate—how much land does it consist of?

Mr. Boyd. It is hard to estimate off-hand. It is quite considerable, though. It extends up to one or two hundred thousand acres.

The Chairman. That is, all the land that was set aside for the chiefs was in this original partition?

Mr. Boyd. Oh, no; that is only one of the portions.

The Chairman. It is only one of them?

Mr. Boyd. Yes; but the Kamehameha lands are larger in extent than the others. The other chiefs only had one or two great strips of land.

The Chairman. Was Bishop the chief who got all this land?

Mr. Boyd. No; it was his wife, Senator Foster. She was the chief?

Mr. Boyd. She was the chief.

Senator Foster. These are all good, arable farming lands, are they—sugar lands?

Mr. Boyd. Yes, sir; nearly all of them are very good lands.

Senator Foster. Are there any cattle ranges over there—do they have any cattle there in ranges on the mountains?

Mr. Boyd. Yes, sir.

The Chairman. When was that division of lands made—how long ago?

Mr. Boyd. In 1848.

The Chairman. Has this Bishop estate continued from that time until now?

Mr. Boyd. No; the estate started from the Kamehameha line of kings and came down to 1868, when the last of the Kamehamehas died. The estate then went to Ruth Keliokalani. She got the property through the courts as the rightful heir.

Senator Foster. She is the trustee, is she?

Mr. Boyd. Oh, no; she is the heir. From her it went to her niece, Mrs. Bishop. She held it until she died, when, of course, she made a will founding the Kamehameha School; and whatever receipts are derived from the lands go to the support of the school, which is carried on upon a very large scale. I presume her name will be remembered quite a long while for what she has done.

The Chairman. Is there any question at all about the validity of the title of the Bishop estate?

Mr. Boyd. No, sir.

The Chairman. That is unquestioned, is it?

Mr. Boyd. That is unquestioned.

The Chairman. Is there anything to which you could refer us that would give us an account of that matter?

Mr. Boyd. Why, yes; we have the records of the old land commissioner of ward.

The Chairman. We do not want the record. Is there any literature or publication on the subject?

Mr. Boyd. No, sir; there is no publication on the Bishop estate matter. Of course, the title can be searched right down to the last issue.

The committee thereupon adjourned (The End.)

WHEN DICKIE KNEADS DOUGH: A Kitchen Idyll of Spring and Flour

A little pinch of summer sun
Out of the waves of wheat;
A tiny drop of fountain spray—
She mingles, deft and neat;
And O, the joy of sun and dew
And golden crop I know
When in the cozy kitchen pent
I watch the dimple and the dent—
When Dickie kneads the dough.

A little powdery flock of flour
Is dusted on her cheek,
Like snow upon an autumn peach.
And nimble fingers peek
Into the dimples and the dents
That subtly come and go—
Ah! would I were the heaven light
Beneath her fingers soft and white—
When Dickie kneads the dough.

Little Lord Fauntleroy Grown To Womanhood

Miss Elsie Leslie, who will always be "Little Lord Fauntleroy" to most of our theatergoers, has grown up to a very remarkable womanhood. She is quite the ideal of the successful actress. She has beauty, wealth, talent, youth and social prestige. Moreover, she is one of the most popular women in the stage.

Her career has been one of exceptional refinement and comfort. Some ten or twelve years ago the sensation she created as the little child actress in Frances Hodgson Burnett's masterpiece was truly phenomenal. Her talent and charming personality made her known from one end of the world to the other, while her costumes in the play set the fashions for children for a whole decade.

But when at last the piece was withdrawn from the stage everybody asked what now for little Elsie. Daniel Frohman answered the question by withdrawing her from the stage and personally superintending her education. It was he who first brought her out as the child in "Edith's Burglar."

Then she was sent abroad to travel over the Continent. For a year or more she lived in France, after which she returned to New York and entered Miss Ely's school, where her education was completed. Through these latter years it was decided for her that she should remain in private life.

But the lure of the stage was still strong upon her and two or three seasons ago she returned to the stage.

His Request Tacitly Withdrawn.

A tramp rang the doorbell of Dr. Mary Morrison's house the other day and when a pleasant-faced woman came to the door he asked her if she would be so kind as to ask the doctor if he had an old pair of trousers to give to a needy man.

"I'm the doctor," said the smiling woman.

The tramp fled.

Easy Enough.

The Tramp—Could you tell me, sir, how I can find work?

Billyuns—Sure; buy an automobile and try to keep it in running order!

Beneath her magic fingers formed,
I think I see and spy
The heaven grow to picture shapes—
A little house where I
Could live in happiness and wealth,
Come rain or shine or snow—
If only I could always be
Admitted by her side, when she—
When Dickie kneads the dough.

And, ah! I think I see a pace
Upon her finger pink
Where just a little dancing gem
Would sparkle well—I think;
And spite of all the heaven flakes
And powdery dabs of snow,
I wish her hands might but resign
Their warmth and tenderness in mine—
When Dickie kneads the dough.

PROBLEMS FOR THE CHESS ENTHUSIASTS

All communications to this column to be addressed to Chess Editor, Sunday Bulletin, P. O. Box 718, Honolulu. Contributions and solutions of problems should reach the editor before Thursday noon of each week.

To Correspondents: Correct solution of Problem No. 43 received from G. A. Turner, C. M. White, H. T. Moore, F. Wood, F. Schmidt, A. E. Cooley; I. R.—Q. B. 4.

PROBLEM NO. 45.

Composed for Sunday Bulletin by DR. A. N. SINCLAIR.

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